

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD

May 21-25, 2001

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
5-22	EX	75/411,268	Applied Biosciences Corp.	Simms Cissel Holtzman*	2(d)	Refusal Affirmed		"EARTH PLUS" [fertilizer and soil activator for agricultural use]	"EARTH LIFE PLUS" (in stylized lettering) [chemicals, namely, fertilizers and soil conditioners]	Charlon	No
5-22	EX EX	75/304,383 75/305,882	Remington Hotel Corp.	Quinn* Bucher Bottorff	2(d)	Refusal Affirmed (in both cases)		"REMINGTON HOTEL CORPORATION" and "REMINGTON SUITES HOTEL CORPORATION" [both marks for: hotel management and consultation for others, food preparation and bar services, and catering services]	"REMINGTON'S ROADHOUSE EST. 1992" (in stylized lettering) and "REMINGTON'S ROADHOUSE" [both marks for restaurant services]	Chosid	No
5-22	EX (R)	75/542,447	Bijoux Int'l., Inc.	Cissel Hairston* Holtzman	2(d); Section 6 disclaimer requirement (of the word SPORT)	Request for Reconsideration Denied [Refusal Affirmed (on 2(d) ground only)]		"EXTREME SPORT" [all purpose sport bags and fanny packs, backpacks, duffel bags, travel bags, tote bags, handbags, and luggage]	"EXTREME" [backpacks]	Micheli	No
5-22	EX	75/615,020	I.T.C. Limited	Seeherman* Bottorff Rogers	2(d)	Refusal Affirmed		"WILLS SPORT" (and design) [culottes, jackets including leather jackets, jogging suits, pants, sweat pants, polo shirts, golf shirts, knit shirts, sports shirts, t-shirts, sweat shirts, evening gowns, shorts, tank tops, footwear including athletic shoes]	"WILLS & CO." [shirts]	Donnell	No

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(2) *=Opinion Writer; (D)=Dissenting Panel Member

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5-22	EX	75/598,351	JT Tobacco-nists	Seeherman Hohein* Chapman	2(e)(2)	Refusal Affirmed		"MINNESOTA CIGAR COMPANY" [cigars, cigar cases not made of precious metal, and humidors]		Schiffrin	Yes
5-22	EX	75/198,280	Anaconda Sports, Inc.	Cissel Hohein Hairston*	2(d)	Refusal Affirmed		"ANACONDA SPORTS" (and design) [a wide range of athletic clothing, including hats, shoes, shirts, shorts, etc.]	"ANACONDA FOUNDATION" [a wide range of clothing, including shirts, hats, footwear, shorts, jogging suits, etc.]	Judd	No
5-22	EX	75/673,321	Philips Electronics North America Corp.	Hairston* Bucher Holtzman	2(e)(1)	Refusal Affirmed		"EDITSTREAM" [a computer-based networked audio-visual editing system, comprising computer software and hardware for the recording, editing and playback of digital and analog audio/visual media]		Awrich	No
5-22	EX (R)	75/370,316	WIXT TV, Inc.	Bucher* Holtzman Rogers	genericness	Request for Reconsideration Denied (Refusal Affirmed)		"NEWS CHANNEL 9" [television program services]		Matthews	No
5-24	EX	75/218,404	The Sunrider Corp.	Seeherman* Wendel Rogers	2(e)(1)	Refusal Affirmed		"SR" [astringents for health purposes; food supplements; nutritional supplements, namely, health bars; herbal powders; vitamins, herbal supplements and mineral supplements in all forms; etc.]		Evanko	No

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5-24	EX	75/421,758	Matsushita Electronic Corp. of America	Quinn* Walters Wendel	2(e)(1)	Refusal Affirmed		"PHOTOSHOT" [video tapes that contain still images taken by a camcorder that is used as a digital still camera]		Sparacino	No
5-24	EX	75/776,887	AtNoCost.Com	Hohein Walters* Rogers	2(e)(1)	Refusal Affirmed		"NOCOST.COM" [gathering data regarding consumer goods over a worldwide computer network]		Billings	No
5-24	EX	75/669,947	Dada Corp.	Seeherman* Walters Bottorff	2(d)	Refusal Affirmed		"SURE-FIT" (in stylized lettering) [head bands; clothing, namely, hats, caps and headwear]	"SUREFIT" [football helmets and bicycle helmets]	Belouin	No
5-24	EX	75/378,612	Jade Corp.	Simms Walters Bucher*	whether applicant's mark is registrable on the Supplemental Register (genericness)	Refusal Reversed		"LOCALDIAL" [telecommunication gateway services in the nature of providing intrastate and interstate telecommunications connections by bypassing long distance tolls by use of global communication network technology and protocols]		Isaacson	No
5-24	EX	75/655,478	Milliken & Co.	Hanak Walters* Chapman	2(d)	Refusal Affirmed		"MILLIKEN IMAGE TILES" [carpet tiles for commercial use]	"IMAGE" [carpeting]	Blandu	No
5-24	EX	75/702,486	Isle of Capri Casinos, Inc.	Hairston Walters* Holtzman	2(d)	Refusal Affirmed		"BANANA CABANA" [retail gift shops]	"BANANA CABANA" [restaurant services]	Benzmiller	No

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5-24	EX EX EX	75/531,325 75/531,326 75/531,337	Nissan Jidosha Kabushiki Kaisha	Hanak* Walters Drost	2(e)(1) [as to 75/531,326]; Section 6 disclaimer requirement [as to 75/531,325 and 75/531,337]	Refusal Reversed (in all three cases)		"SUT," "NISSAN SUT," and "FRONTIER SUT" [all three marks for: motor vehicles, namely, vehicles which combine a sport utility vehicle-like passenger compartment with a cargo bed, and structural parts therefor]		K. Le	No
5-24	EX	75/596,082	A & J Cheese Co., Inc.	Seeherman Quinn Drost*	2(d)	Refusal Reversed		"A & J CHEESE CO." (and design) [merchandise packaging, wholesale stores and distributorship services, all in the field of and featuring cheese and cheese products]	"A & J" (and design) [wholesale agricultural products, namely, fresh fruits and vegetables]	Gilbert	No

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